



# Gwinnett County Board of Commissioners

Tuesday, March 17, 2009 - 2:00 PM

## Business Session - Minutes

### **I. Call To Order, Invocation, Pledge to Flag**

### **II. Opening Remarks by Chairman**

### **III. Approval of Agenda**

{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

### **IV. Approval of Minutes:**

Business Session: March 3, 2009

Executive Session: March 17, 2009

{Action: Approved Motion: Beaudreau Second:  
Kenerly Vote: 5-0}

### **V. Announcements**

- **Resolution of Recognition:** Month of the Young Child – April 2009  
{Action: Approved Motion: Beaudreau Second: Nasuti Vote: 5-0}
- **Resolution of Recognition:** Friends of Gwinnett County Senior Services 10-Year Anniversary  
{Action: Approved Motion: Beaudreau Second: Nasuti Vote: 5-0}

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**VI. Consent Agenda**

**A. New Business**

**1. Multiple Departments**

**2009-0337 Award BL007-09**, HVAC services on a multi-year contract, Department of Community Services, Department of Fire and Emergency Services, Department of Police Services, and Department of Water Resources, primary vendor, Bardi Heating and Air Conditioning, Inc. and secondary vendor, United Maintenance, Inc., per attached tabulation. The initial term of this contract shall be March 18, 2009 through December 31, 2009, base bid of \$286,948.51. This contract shall terminate absolutely and without further obligation on the part of the County on December 31, 2009 and at the close of each succeeding calendar year for which it may be renewed. This contract may be automatically renewed on an annual basis for three additional twelve-month terms, for a total lifetime contract term of four years, total base bid of \$1,388,384.74, upon the same terms and conditions as provided for in this agreement, unless previously terminated. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0327 Approval** to renew BL022-08, purchase of janitorial supplies on an annual contract, Department of Community Services, Department of Corrections, Department of Fire and Emergency Services, Department of Police Services, Sheriffs Department, Department of Support Services, and Department of Water Resources, with Gainesville Janitor Supply and Calico Industries, Inc., base bid \$197,688.00 (negotiated cost savings of approximately \$8,789.41). (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**A. New Business**

**2. Community Services/Phil Hoskins**

**2009-0340 Approval/authorization** for Chairman to sign change order No. 4 for a deduct in the amount of (\$2,933.53) with Frailey and Associates, Inc. d/b/a Patmac Contracting for work associated with the construction of Harbins Park, subject to approval by the Law Department. Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0353 Approval/authorization** to accept a donation from Friends of Gwinnett County Senior Services (FOGSS) in the amount of \$50,000 for the County to purchase two replacement Meals on Wheels trucks to be assigned to the Meals on Wheels Program. The Friends Board has agreed to set aside funds to replace those vehicles as needed. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**3. County Administration**

**2009-0370 Approval/authorization** for the Chairman to execute a Resolution consenting to the annexation of approximately 23 parcels so as to expand the Gwinnett Village Community Improvement District's boundaries, subject to review and approval by the Law Department. {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**4. Financial Services/Maria Woods**

**2009-0296 Approval/authorization** to amend the Gwinnett County Alcoholic Beverage Ordinance (sections 6-2, 6-16, 6-17, 6-19, 6-20, 6-27, 6-35, 6-38, 6-66, 6-69 (c) & (e), 6-91 and 6-93 (c) and (e)). Authorization for the Chairman to execute the resolution subject to Law Department approval. (Staff Recommendation: approved) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**4. Financial Services/Maria Woods**

**2009-0319 Approval/authorization** to amend the Gwinnett County Hotel-Motel Tax Ordinance (Section 106-35). Authorization for the Chairman to execute the Resolution subject to Law Department Approval. (Staff Recommendation: approval) **{ Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0 }**

**2009-0335 Approval/authorization** for the Gwinnett County Board of Commissioners to execute an agreement for commercial solid waste collection and disposal with Waste Eliminator, Inc. for unincorporated Gwinnett County. Subject to approval by the Law Department. The term of this agreement will expire on December 31, 2009. (Staff Recommendation: approval) **{ Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0 }**

**2009-0355 Approval/authorization** for the Chairman to execute any and all documents necessary for the County to make application for designation of the Stadium, the Gwinnett Center, and the Development of Regional Impact adjacent to the Stadium as a Regional Economic Assistance Project. This authorization includes the Chairman's execution of a resolution by the Board, a reciprocal use agreement, an application to the Department of Community of Affairs, and all other documents necessary to establish the Regional Economic Assistance Project, subject to review and approval by the Law Department. (Staff Recommendation: Approval) **{ Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0 }**

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**5. Fire Services/Steve Rolader**

**2009-0344 Approval/authorization** for the Department of Fire and Emergency Services to participate in the Georgia Firefighters Burn Foundation "Give Burns the Boot" campaign on May 8, 9, 10, 15, 16, and 17, 2009. Funds will go to the Burn Foundation who will rebate a 10% credit to participating departments to be used for fire safety and education materials. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**6. Information Technology Services/John Matelski**

**2009-0321 Approval** to renew OS040, Syscon jail management system software maintenance on an annual contract, (May 01, 2009 through April 30, 2010), Department of Information Technology Services, with Syscon Justice Systems, Ltd., amount not to exceed \$174,968.00. Authorization for Chairman to execute contracts subject to approval by the Law Department. Contracts to follow award. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0322 Approval** to renew RP040-07, desktop computer hardware leasing, (March 31, 2009 through March 30, 2010), Department of Information Technology Services, with Dell Marketing L.P., base amount \$687,220.00. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0326 Approval** to renew BL034-07, purchase of notebook computers on an annual contract, (April 10, 2009 through April 09, 2010), Department of Information Technology Services, with Dell Marketing LP, base bid \$105,000.00. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**7. Law Department/Karen Thomas**

**2009-0357 Approval/authorization** for Project McGinnis Ferry Road, Project No. F-0034, for Declaration of Taking procedures for condemnation proceedings regarding the property of Raymond D. Johnson, Connie M. Johnson, Everbank, Pool Builders Supply of the Carolinas, Inc., Office of the Governor, State of Georgia, Sarah Elizabeth Johnson and 0.982 acres of required right of way, Parcel 37, Zoning C-2, Amount \$254,480.00, Comm District 1/Lasseter. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0358 Approval/authorization** of revised Gwinnett County Telecommunications Tower and Antenna Ordinance. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**8. Planning & Development/Glenn Stephens**

**2009-0351 Ratification** of plat approvals for February 1, 2009 thru February 28, 2009. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**9. Police Services/Charlie Walters**

**2009-0323 Award RP012-08**, provision of a business continuity and disaster recovery plan, Department of Police Services, to the highest scoring firm, Bold Planning Solutions, Inc., amount not to exceed \$184,400.00. Authorization for Chairman to execute contracts subject to approval by the Law Department. Contracts to follow award. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**10. Support Services/Steve North**

**2009-0325 Award RP027-08**, purchase of dump trucks on an annual contract, (March 18, 2009 through March 17, 2010), Department of Support Services, to Peach State Ford Truck Sales, Inc., base amount \$1,190,737.00. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0334 Award BL023-09**, purchase of public safety and administrative vehicles on an annual contract, (March 18, 2009 through March 17, 2010), Department of Support Services, per attachment A, base bid \$4,848,002.00. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0339 Approval** to renew BL033-08, purchase of rubber tire backhoes/loaders on an annual contract, (April 16, 2009 through April 15, 2010), Department of Support Services, with Tractor & Equipment Company, base bid \$360,000.00. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**11. Tax Commissioner/Katherine Meyer**

**2009-0345 Approval** To request approval of agreement for ad valorem tax and storm-water fee billing and collection for the City of Sugar Hill. {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**A. New Business**

**12. Transportation/Brian Allen**

**2009-0338 Award BL025-09**, environmental mitigation services for SR 324 bridge over I-85 and McGinnis Ferry projects, Department of Transportation, item 1 to low bidder, Snapfinger Creek, \$20,000.00, item 2 to low responsive bidder, Legacy Farms Stream Bank, LLC, \$125,826.00, and item 4 to low bidder, Mitigation Resource Group, LLC, \$90,620.00, total \$236,446.00. Authorization for Chairman to execute contracts subject to approval by the Law Department. Contracts to follow award. Commission Districts 1/Lasseter and 4/Kenerly. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0331 Approval** to accept ongoing revenue resulting from the Natural Gas Motor Fuels Rebate Program - Transit Operating Fund - Estimated Revenue of \$540,000 All Commission Districts (Staff Recommendation: Approval ) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0307 Approval/authorization** to increase the Street Light Fund 2008 budget by \$308,482.00 to address increased costs from power suppliers. All Commission Districts. (Staff Recommendation: Approval ) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0330 Approval/authorization** for Chairman to execute Collateral Assignment of Tenant's Interest in Lease and Acceptance of Lessor for Lou Sobh Aviation, Inc., subject to approval by the Law Department - no cost associated - Commission District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}



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**A. New Business**

**12. Transportation/Brian Allen**

**2009-0341 Approval/authorization** for Chairman to execute Supplemental Agreement No. 1 - Final with Baldwin Paving Company for Papermill Road at Springlake Road project (#F-0039-02 aka 4106-01) - total reduction: <\$164,313.81> - revised contract amount: \$559,942.58 - 2001 Sales Tax Program - Commission District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0342 Approval/authorization** for Chairman to execute Right of Way Agreement with Georgia Department of Transportation for Sugarloaf Parkway Extension, Phase I, Section II, project (#F-0270-01) and any and all related documents, subject to approval by the Law Department - total revenue: \$2,499,999.97 - 2009 Sales Tax Program - Commission Districts 3/Beaudreau and 4/Kenerly (Staff Recommendation: Approval ) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0343 Approval/authorization** for Chairman to execute Supplemental Agreement No. 2 - Final with I.S.C., Inc., for Garner Road (Miller Road - Five Forks Trickum Road) project (#F-0087 aka 4435) - increase: \$550.00 - total reduction: <\$326,138.60> - revised contract amount: \$2,210,671.41 (DOT portion: \$1,622,874.90, DWR portion: \$587,796.50) - 2001 Sales Tax Program and Water and Sewer R & E Fund - Commission Districts 2/Nasuti and 3/Beaudreau (Staff Recommendation: Approval ) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**13. Water Resources/Lynn Smarr**

**2009-0332 Award BL003-09**, purchase of water service saddles, couplings, clamps and valves on an annual contract, Department of Water Resources, per attachment A, base bid \$161,130.00. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2009-0336 Award BL005-09**, purchase of dewatering polymer on an annual contract, (March 18, 2009 through March 17, 2010), Department of Water Resources, to low bidder, Polydyne, Inc., \$874,580.00. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

**VII. Old Business**

**1. Commissioners**

**2008-2526 Approval** Formerly 2008-0611, of appointment to fill the unexpired term of Carol Hassell from the Tree Advisory Committee. Term Expires December 31, 2009. District 4/Kenerly (Tabled on 03/17/2009) (Tabled to 03/24/2009) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2009-0063 Approval** of appointment to Recreation Authority - Chairman's Appointment - Term Expires December 31, 2012 (Tabled on 03/17/2009) (Tabled to 04/21/2009) {Action: Tabled Motion: Bannister Second: Nasuti Vote: 5-0}

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**VII. Old Business**

**2. County Administration**

**2008-2848 Approval/authorization** for the Chairman to sign a Resolution and any and all documents necessary to adopt the Gwinnett Village Gateway Redevelopment Plan and to create Tax Allocation District Number 1 - Gwinnett County - Village Gateway, subject to review and approval of the Law Department. (Staff Recommendation: Approval) {Action: Withdrawn Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2008-2849 Approval/authorization** for the Chairman to sign a Resolution and any and all documents necessary to adopt the Gwinnett Place Redevelopment Plan and to create Tax Allocation District Number 2 - Gwinnett County - Gwinnett Place, subject to review and approval by the Law Department. (Staff Recommendation: Approval) {Action: Withdrawn Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2008-2850 Approval/authorization** for the Chairman to sign a Resolution and any and all documents necessary to adopt the Evermore (Hwy. 78) Redevelopment Plan and to create Tax Allocation District Number 3 - Gwinnett County - Evermore (Hwy. 78), subject to review and approval by the Law Department. (Staff Recommendation: Approval) {Action: Withdrawn Motion: Kenerly Second: Beaudreau Vote: 5-0}

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**VII. Old Business**

**3. Planning & Development/Glenn Stephens**

**2009-0112 SUP-09-007**, Applicant: Transfer East, LLC, Owner: RBD Holdings, LLC, for a Special Use Permit in a M-2 Zoning District to Allow a Solid Waste Transfer Station, District 5 Land Lot 242 Parcel 026, 100 Block of Alcovy Industrial Boulevard, 5.28 Acres, District 4/Kenerly **(Tabled on 03/17/2009) (Tabled to 04/28/2009)(Public hearing was held)**[Planning Department Recommendation: Approve with Conditions] **{Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Out of Room)}**

**2008-2527 RZC-08-063**, Formerly 2008-0445, Applicant: Vintage Communities, Owner: Vintage Communities, R-100 to O-I, Assisted Living Facility (Reduction in Buffers), District 5 Land Lot 156 Parcel 013, 0-100 Block of Ozora Road, 2.79 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Denied without Prejudice Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}**

**2008-2528 SUP-08-021**, Formerly 2008-0446, Applicant: Vintage Communities, Inc., Owner: Vintage Communities, Inc., for a Special Use Permit in a (Proposed) O-I Zoning District to Allow an Assisted Living Facility, District 5 Land Lot 156 Parcels 001 and 013, 0-100 Block of Ozora Road, 4.29 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}**

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**4. Support Services/Steve North**

**2009-0275 Approval** of a lease amendment no. 1 between Gwinnett County and SVN Oakbrook I-V, LLC for premises known as Village CID, 5555 Oakbrook Parkway, Suite 650, Norcross, Georgia, for use by the Quality of Life Unit. The two (2) optional one year extensions at 90% current market rate are being modified by the amendment to (5) optional one year extensions starting April 1, 2010 and ending on March 31, 2015 at more favorable rates, with the same provisions of the original lease. District 1/Lasseter (Staff Recommendation: Approval) {Action: Approved Motion: Lasseter Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}

**VIII. New Business**

**1. Support Services/Steve North**

**2009-0328 Approval** to renew BL031-06, purchase of gasoline and diesel fuel on an annual contract, (April 19, 2009 through April 18, 2010), Department of Support Services, with Mansfield Oil Company, base bid \$15,142,000.00. (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Lasseter Vote: 3-0 (Kenerly & Nasuti Out of Room)}

**2. Transportation/Brian Allen**

**2009-0346 Award BL024-09**, New Hope Road (Archer High School) 09 school safety project, Department of Transportation, to low bidder, Pittman Construction Company, amount not to exceed \$1,568,473.38. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. Commission District 3/Beaudreau. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Out of Room)}

**IX. Comments from Audience**

**X. Adjournment**